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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/434,908	11/05/1999	LANE T. HAUCK	0325.00281	4529
21363	7590	03/24/2004	EXAMINER	
CHRISTOPHER P. MAIORANA, P.C. 24025 GREATER MACK SUITE 200 ST. CLAIR SHORES, MI 48080			NGUYEN, CHANH DUY	
			ART UNIT	PAPER NUMBER
			2675	15

DATE MAILED: 03/24/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/434,908

Applicant(s)

HAUCK, LANE T.

Examiner

Chanh Nguyen

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5,7-17 and 19-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5,7-17 and 19-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed on March 08, 2004 has been entered and considered by examiner.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

3. Claims 1-5, 7-17 and 19-27 are rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention.

Claims 1, 16 and 20 recite "in addition to mouse". Nowhere in the specification describes the limitation above. Applicant's device does not describe three input devices as recited in the claim. That is one is an apparatus, second is a mouse and third is keyboard. Figure 2 of the specification only show two input devices: input device (100) and keyboard (204).

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Claim 7 recites "simultaneously with said keyboard and said mouse". Again, nowhere in the specification describes the limitation above for the same reason as independent claims 1, 16 and 20.

Claim 25 has similar problem as previously discussed with respect to claims 1, 16 and 20 above.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 4-5, 7-9, 12, 15-17, 19, 21-23 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bretschneider et al (U.S. Patent no. 6,128,629) in view of Sartore et al (U.S. Patent No. 6,012,103).

As to claim 1, Bretschneider discloses an apparatus as recited in claim 1 with exception that the pointing device (42) of Bretschneider does not have its own CPU or its own USB bus interface (i.e. first device and bus interface as recited in the claim) . For example, Bretschneider teaches a house (i.e. pointing device 42 or game pad) having upper surface and a button disposed in the upper surface and configures to generate a first instruction (click button). That is pointing device 42 shown in Figure 1 having an upper surface and buttons on the upper surface for generating instruction

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signal or control signal (see column 4, lines 40-60). Bretschneider clearly teaches that the instruction signal or control signal dedicated to advancing through a plurality of slides presented by electronic presentation program (see column 5, line 53 through column 6, line 18) in response to one or more input instructions (e.g., button clicks from pointing device 42) (see column 4, lines 40-60) .

Bretschneider teaches a bus interface (USB) presenting one or more control signals; see column 4, lines 40-60, but does not mention it is disposed in the housing. In the same field of endeavor, Sartore teaches a first device (e.g., CPU 72) disposed within the housing (54) and a bus interface (76) disposed within the housing (54). Sartore teaches peripheral USB interface circuit (120) providing a power (D+) to the first device (CPU 72). It is noted that Sartore teaches that "although the electronic disconnection and reconnection of the peripheral device to the USB may be initiated by the host computer, it may also be initiated by the host computer, as described above" (see column 8, lines 43-46). Thus, it is clear that the D+ voltage in Sartore can be transmitted from the host computer to the peripheral device through USB bus.

The claimed "wherein said device is configured operate according to a standard device driver provided in an operating system" is taught by both Bretschneider and Sartore. For example, Bretschneider teaches that "the general context of computer executable instructions, such as program modules, being executed by a personal computer" (see column 3, lines 53-67" and "a user may enter commands and information into the personal computer 20 through input devices such as keyboard 40 and pointing device 42" (see column 4, lines 44-54). It is clear that the device driver

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(i.e. executable instructions including routine, programs etc.) is not a special device or a non-standard device provided in an operating system because it executes the command signal in a conventional way in response to a mouse or keyboard activation. Nowhere in the reference of Bretschneider states that the executable instructions in the reference (or device driver) is a special device driver or a non-standard device driver. Moreover, the term "standard" is so broad that any device can be named as standard. One example is that VHS cassette recorder and BETA cassette recorder. Both VHS and BETA can be named as standard cassette recorders because both can hook-up to the television to record the image even BETA does not have commercial success. Sartore uses two USB interfaces (66, 76) to communicate between two processors (62 from a host computer and 72 from a peripheral device which is the same way as applicant's disclosed device shown in figure 2. Thus, the device driver (68) in Sartore is a standard device driver as recited in the claim.

Bretschneider teaches the apparatus (e.g., pointing device 42) in addition to a keyboard (40), joystick, microphone, game pad configured connecting a second device (e.g., host computer 20) to run the electronic presentation program (see column 4, lines 40-60). Although Bretschneider does not mention the limitation "in addition to a mouse", it would have been obvious that a mouse would include in the input device of Bretschneider because Bretschneider teaches that input devices such may include keyboard (40), pointing device (42), a microphone, a joystick, game pad. Moreover, applicant's device does not have describe three input devices as recited in the claim.

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That is one is an apparatus, second is a mouse and third is keyboard. Figure 2 of the specification only show two input devices: input device (100) and keyboard (204).

Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have substituted USB bus to provide power to the peripheral device as taught by Sartore to the USB bus to Bretschneider because UBS bus of Sartore provide a system for easily altering the configuration data for a peripheral device; see column 2, lines 20-68 of Sartore.

As to claim 4, both Bretschneider and Sartore clearly teaches bus interface including a Universal Serial Bus bus interface (66, 76 in Sartore).

As to claim 5, it is well-known in the art the bus interface is a wireless link.

As to claims 7-9, 12 and 15, all the limitations recited in claims 7-9, 12 and 15 are met by either by Bretschneider or Sartore. For example, Bretschneider teaches the use of different input devices such as pointing device (42), a keyboard, joy stick, game pad. This reads on the claimed "first device is configured to control said electronic presentation program simultaneously with said keyboard and said mouse" recited in claim 7 as best understood. For example, a user can use pointing device (42) for advancing slides and at the same time a user also can use page down in the keyboard (40) for retreating the slides. Sartore teaches that "the UBS also permits the connection and disconnection of USB compatible peripheral devices while the computer is turned on"; see column 1, lines 50-55. This reads on the limitation "without rebooting or repowering the computer" as recited in claim 9.

As to claims 21-23, Bretschneider clearly teaches a hand held device (pointing device 42) as recited in claim 21, standard device (pointing device 42) is as recited in claim 22 and human interface device (pointing device 42) as recited in claim 23.

As to method claims 16-17 and 19, these method claims are analyzed as previously discussed with respect to apparatus claims 1, 4-9, 12, 15 and 21-23 above.

As to claims 27, Bretschneider clearly teaches the first device (40 or 42) being configured to advance and retreat through the plurality one slide at a time (see column 5, lines 53-65). The feature "advance" and "retreat" is also so well-known in the art, even acknowledged by applicant using left mouse button and right mouse button as described in the background of the invention, page 1, lines 17-19 or page up page down on the keyboard as well-known in the art.

6. Claims 2-3 and 10, 11 and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bretschneider in view of Sartore as applied to claim 1 above, and further in view of Meyn et al (U.S. Patent No. 5,859,6223).

As to claim 2, note the discussion of Bretschneider and Sartore above, Bretschneider and Sartore do not mention a second button for dedicating retreat through the plurality of slides. In the same field of endeavor (viewing presentation slides), Meyn teaches a button (reverse key 1) for returning the previous slide, forward key for advancing the next slide as the same way as applicant disclosed device (see Figure 3). Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have utilized the reverse key as taught by Meyn to the pointing

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device of Bretschneider as modified by Sartore so that a user does not have use an additional input device such as keyboard to control the returning to the previous file (e.g., page down key).

As to claim 3, Sartore clearly teaches a second device (e.g., 22) configured to communicate through cable (26) to the bus interface (34).

As to claims 10-11 and 26, Meyn clearly teaches the first instruction (e.g., forward key 2) and the second instruction (e.g., reverse key 1) generated by a presenter.

7. Claims 20 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bretschneider in view of Meyn et al (U.S. Patent No. 5,859,6223).

As to claim 20, note the discussion of Bretschneider above, Bretschneider discloses the apparatus as recited in claim 20 with exception of mentioning "simultaneously" the electronic presentation program controlled by computer. In the same field of endeavor, Myen teaches that "although the system 10 was intended to be operated by a remote control or by light activated control device. However, most actions can be performed using the keys on the control panel of the projector"; see column 13, lines 51-56. Thus, Meyn clearly teaches both the control device (e.g., laser pointer) and the control panel (e.g, keyboard) can control the electronic presentation program. This read on the claimed limitation "simultaneously" as recited in the claim. For example, a user can use only a laser pointer to scroll and zoom the slides. A user also can scroll the slides of the presentation by using laser pointer, then the user can

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use the control panel to zoom the slides. Thus a user can use both devices "simultaneously". Meyn also teaches two buttons: one for returning the previous slide and another one for advancing to the next slide (see Figure 3) which read on the limitation first button and second button as recited in the claim. Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have used both laser pointer and control panel to control a plurality of slides as taught by Meyn to the presentation control system of Bretschneider so that the user has more choice to control the presentation slides, thereby saving time.

As to claim 25, Bretschneider clearly teaches a keyboard 40 and pointing device 42.

8. Claims 13-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bretschneider in view of Sartore as applied to claim 1 above, and further in view of Vanderpool et al (U.S. Patent No. 4,019,174).

As to claims 13-14, note the discussion of Bretschneider and Sartore above, Bretschneider and Sartore do not mention an alert indicator disposed in the housing. Vanderpool teaches an alert indicator (42) disposed in the housing (30). Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have used the alert indicator as taught by Vanderpool to the housing of Bretschneider as modified by Sartore so that a user can notify the message either transmitting or error.

9. Claim 24 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bretschneider in view of Sartore and Vanderpool as applied to claims 1 and 13 above, and further in view of Indekeu et al (U.S. Patent No. 5,212,477).

Note the discussion of Bretschneider, Sartore and Vanderpool above, both do not mention vibrator. Indekeu teaches alert indicator including an audible, a visual and a vibrator (see column 2, lines 45-55). Therefore, it would have been obvious to one of ordinary skill in the art at the invention was made to have used the vibrator alert indicator as taught by Indekeu to the input device of Bretschneider as modified by Sartore and Vanderpool so as to it can alerts the user (see column 2, line 54 of Indekeu).

Response to Arguments

10. Applicant's arguments with respect to claims 1-5, 7-17 and 19-23 have been considered but are moot in view of the new ground(s) of rejection.

In view of amendment, the reference of Vanderpool has been added for new ground of rejection to claims 13-14 as well as the new ground rejection to claims 1-5, 7-17 and 19-27.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chanh Nguyen whose telephone number is (703) 308-6603.

If attempts to reach the examiner by telephone are unsuccessful, the examiner supervisor, Steven Saras can be reached at 305-9720.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306

Hand-delivered responses should be brought to Crystal Park II, 2121
Crystal Drive, Arlington, VA, Sixth Floor (Receptionist)

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Technology Center 2600 Customer Service Office whose telephone number is (703) 306-0377.

cn
C.Nguyen
March 17, 2004

Chanh Nguyen
CHANH NGUYEN
PRIMARY EXAMINER